

BOARD OF REGISTRATION IN PHARMACY  
PHARMACY BOARD MEETING MINUTES  
TUESDAY, MAY 04, 2004  
239 CAUSEWAY STREET, ROOM 206  
BOSTON, MASSACHUSETTS 02114

The following Board members were present: James T. DeVita, R.Ph., President, Karen Ryle, R.Ph., M.S., Secretary, Harold Sparr, R.Ph., M.S. Marilyn M. Barron, MSW, Public Member.

The following Board members were absent: Donna Horn, R.Ph., Dan Sullivan, R.Ph.

The following Board staff were present: Charles R. Young, R.Ph., Exec. Dir., James D. Coffey, R.Ph., Assoc. Dir., Susan Manning, J.D., Counsel, Carolyn Reid, Admin. Asst., Jay Emery, C.Ph.T., Healthcare Investigator, Leslie S. Doyle, R.Ph., Healthcare Supervisor, and Karen Fishman, Probation Compliance Monitor.

AGENDA ITEMS

1. 9:30 a.m. Call to Order – The meeting was called to order by Pres. James DeVita, R.Ph.
2. 9:35 a.m.  
Introduction of DHPL Probation Monitor - Karen Fishman  
  
Ms. Fishman will be responsible for monitoring probation conditions for various boards.
3. 9:40 a.m. Review of Minutes - April 6, 2004 Meeting  
Motion / Ryle to accept minutes after typo changes. Second / DeVita.  
Motion carried.
4. 9:45 a.m. File Review  
Healthcare Investigators Leslie S. Doyle and James C. Emery
5. 10:30 a.m. Business Item - CombinatoRx Inc.  
CombinatoRx Inc., a biotechnology company, seeks a waiver to permit Huron Drug to sell bulk quantity of a limited number of Schedule VI

controlled substances to company for research purposes. Board approved a similar waiver request on November 07, 2000 (participating contract pharmacy now closed).

Present

Paul Gitlin, Esq.

Curtis Keith, Ph.D., V.P., Research

Motion / Sparr to approve waiver for Schedule VI bulk sales. Second / Ryle. Motion / DeVita annual basis update with newly acquired drugs. Label and conformity with pharmacy. Second / Ryle. Motion carried. Vote: Unanimous in favor.

6. 11:00 a.m. Report of Offices

a) Office of Investigations

b) Board Counsel

c) NABP Annual Meeting

Motion / Ryle to send a letter to commendment to NABP re: NABP's Annual meeting. Second / Sparr. Vote: Unanimous in favor.

d) Next District Meeting

Need amended constitution by-laws – 6 to 8 officers.

Ryle noted she intends to be candidate for District Representative.

7. 11:15 a.m. Report of Committees

a) Strategic Planning / Grid management

i) Regulation update –

Manning reported proposed regulations have been forwarded to DHPL Director for review.

ii) Pending legal matters

Two pharmacists indicted.

Vote: Motion / Sparr to refer matters to Office of Prosecutions.

Second / DeVita. Motion carried. Vote: Unanimous in favor.

iii) Notice Letter (Alan Esper) referred by Board – to be reviewed by counsel.

8. 11:30 a.m. Old Business for discussion

a) In the matter of DS-03-051 & PH-03-061:

NeighborCare Pharmacy, 15 Constitution Way, Woburn and Cheryl H. Rashid – review of supplemental documentation.

Pharmacist: Motion / DeVita affirm resolution terms previously proposed by Board. Second / Ryle. Motion carried.  
Drugstore: Motion / Ryle propose Advisory Letter to advise computer be updated to have capability to read high dosage for compounding. Second / Barron. Motion carried.  
Vote: In Support: DeVita, Ryle and Barron. Opposed: Sparr. Motion carried.

- b) Review/discussion of response to Planned Parenthood of Massachusetts, Inc. inquiry. - DeVita will provide comments to Ex. Dir.

9. 11:50 a.m. New Business for discussion


- a) Review of application (S.W.K) for internship.  
Motion/Sparr to require MPRS assessment. Second/Ryle.  
Motion carried.  
Motion/DeVita to deny application on condition of MPRS Evaluation.  
Second/Ryle. Motion carried.  
Motion/Sparr to accept application based on MPRS approval.  
Second/Ryle. Motion carried.
- b) Requests for extension of Board-approval for pharmacy technician assessment examinations – MPHA and Big Y Pharmacy.  
Motion/DeVita extend to 12/31/04. Second/Ryle. Motion carried.
- c) Best Practice Recommendation – addition re: susceptible drug products.  
Motion/Ryle to adopt preliminary. Second/Sparr. Motion carried.  
Vote: Unanimous in favor.
- d) Request for advisory opinion regarding internship from Creighton University (accelerated web-based Pharm.D. Program) - pharmacy student Marti Healy.  
Motion/DeVita allow to register as an intern. Second / Ryle.  
Vote: Unanimous in favor.
- e) NABP correspondence regarding “California Board Signs Contract to Use the NAPLEX” – reciprocity discussion.  
Motion/DeVita to accept Non-NAPLEX candidates from California and Florida to reciprocate to Mass. Second / Ryle. Vote: Unanimous in favor.
- f) MPHA correspondence regarding 123<sup>rd</sup> Annual Convention, September 10 – 12, 2004, Holiday Inn Boxborough Woods,

Boxborough, MA – Board members attending and exhibit booth volunteers (Sat. Sept. 11, 2004)

Ideas: Poster presentation, handout of newsletter, Root Cause Analysis - Further discussion.

- g) Motion/DeVita to change meeting date from September 7 to September 14. Second/Barron. Vote: Unanimous in favor.
  - h) In the matter of PH-96-102: Registrant, Edward F. Ahern, Jr., R.Ph., (Lic. No. 16790) – request for removal of probation.  
Motion/Sparr deny request to remove probation status. Second/Ryle. Vote: Unanimous in favor.
  - i) Josette El-Berbari, Pharm.D. graduate of Lebanese American University, School of Pharmacy. She acquired 1600 internship hours in Lebanon, no hours acquired in the United States.  
Motion/Ryle not to accept hours. Second/Barron. Vote: Unanimous in favor.
  - j) Shital Parekh – completed 1500 internship hours in New Hampshire.  
Motion/DeVita accept hours certified by New Hampshire State Board. Second/Ryle. Vote: Unanimous in favor.
  - k) Pharmacy Board Meetings  
July 27 meeting - cancelled  
September 7 meeting - cancelled
10. Motion / Sparr to adjourn meeting. Second / DeVita. Vote: Unanimous in favor. Meeting adjourned.

Respectfully submitted by:

  
Executive Director      6-13-04  
Date

Reviewed by counsel: June 2, 2004  
Draft approved: June 2, 2004  
Board approved: June 8, 2004